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PTO/SB/31 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)
4320-91

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____.

Signature _____

Typed or printed name _____

In re Application of
RABIE et al.

Application Number

09/426,234

Filed

October 25, 1999

For Maintenance Cleaning for Membranes

Art Unit
1723Examiner
MENON, Krishnan S.**RECEIVED
CENTRAL FAX CENTER****JAN 03 2006**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ Previously Paid

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- A check in the amount of the fee is enclosed
- Payment by credit card Form PTO-2058 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
I have enclosed a duplicate copy of this sheet
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. _____ I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.130(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2058.

I am the

- applicant/inventor.
- assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/98)
- attorney or agent of record.
Registration number 47,339.
- attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____

Scott Pundack

Signature

Scott Pundack

Typed or printed name

416-957-1898

Telephone number

January 3, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below.

- *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL
for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110.00)

Complete if Known

Application Number	09/425,234
Filing Date	October 25, 1999
First Named Inventor	RABIE
Examiner Name	MENON, Krishnan S.
Art Unit	1723
Attorney Docket No.	4320-91

METHOD OF PAYMENT (check all that apply)
 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	022095
Deposit Account Name	Bereskin & Parr

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity	Fee Code (\$)	Fee	Small Entity	Fee Code (\$)	Fee	Fee Description	Fee Paid
1001	790	2001	395			Utility filing fee	
1002	350	2002	175			Design filing fee	
1003	550	2003	275			Plant filing fee	
1004	790	2004	395			Reissue filing fee	
1005	160	2005	80			Provisional filing fee	
SUBTOTAL (1)		(\$)		0.00			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	- 20 ** =	X	= 0.00
Independent Claims	- 3 ** =	X	= 0.00
Multiple Dependent			

Large Entity	Small Entity	Fee Description
1202	18	2202 9 Claims in excess of 20
1201	88	2201 44 Independent claims in excess of 3
1203	300	2203 150 Multiple dependent claim, if not paid
1204	88	2204 44 ** Reissue independent claims over original patent
1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$)
		0.00

**or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051 65	Surcharge - late filing fee or oath	
1052	50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130	Non-English specification	
1812	2,520	1812 2,520	For filing a request for ex parte reexamination	
1804	920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251 55	Extension for reply within first month	
1252	430	2252 215	Extension for reply within second month	
1253	880	2253 490	Extension for reply within third month	
1254	1,530	2254 765	Extension for reply within fourth month	
1255	2,080	2255 1,040	Extension for reply within fifth month	
1401	340	2401 170	Notice of Appeal	
1402	340	2402 170	Filing a brief in support of an appeal	
1403	300	2403 150	Request for oral hearing	
1451	1,510	1451 1,510	Petition to Institute a public use proceeding	
1452	110	2452 55	Petition to revive - unavoidable	
1453	1,370	2453 685	Petition to revive - unintentional	
1501	1,370	2501 685	Utility issue fee (or reissue)	
1502	490	2502 245	Design issue fee	
1503	660	2503 330	Plant issue fee	
1460	130	1460 130	Petitions to the Commissioner	
1807	50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180	Submission of Information Disclosure Stmt	
8021	40	8021 40	Recording each patent assignment per property (times number of properties)	
1809	790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801 395	Request for Continued Examination (RCE)	
1802	900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

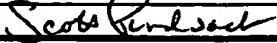
*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

110.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Scott R. Pundsack	Registration No. (Attorney/Agent)	47,330	Telephone (416) 364-7311
Signature		Date	October 21, 2004	

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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